

### **Remarks**

This communication responds to the Office Action mailed July 6, 2005 for the application captioned above.

In the Office Action, the Examiner contended that the claims are directed to more than one distinct invention and required that Applicant elect a single invention. The inventions, as contended by the Examiner, are presented as follows:

- I. Claims 1-17, drawn to a hammermill, classified in class 241, subclass 194; and
- II. Claims 18-20, drawn to hammers, classified in class 241, subclass 195.

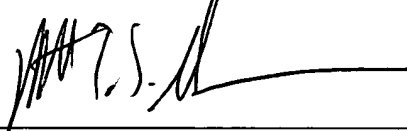
Applicant provisionally elects Group I (claims 1-17), with traverse. Applicant traverses the Restriction Requirement on the grounds that no serious burden on the Examiner exists. If the search and examination of an entire application can be made without serious burden, then it should be examined on the merits even though it includes claims directed to distinct or independent inventions. Applicant respectfully submits that the subject matter of the inventions is sufficiently related that a thorough search for the subject matter of one of these inventions would encompass the search for the subject matter of all the inventions. For example, claims 18-20 refer to a hammermill. Further, dependent claim 4 calls out for limitations for the hammers that are similar to those found in claim 18. Therefore, Applicant submits that no serious burden on the Examiner exists and respectfully requests the Examiner withdraw the restriction requirement.

The Examiner is invited to telephone the undersigned if the Examiner believes it would be useful to advance prosecution.

The Commissioner is hereby authorized to charge any additional filing fees required to  
Deposit Account No. 061910.

Respectfully Submitted,

Dated: Aug. 2, 2005

  
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CERTIFICATE OF MAILING

I hereby certify that this document is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on

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